

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

AIG PROPERTY CASUALTY COMPANY, §
Plaintiff, §

V.

MARK ANDREW SCHULTZ,
Defendant.

CIVIL ACTION NO. 4:20-CV-03213

ORDER GRANTING DEFENDANTS' MOTION TO DISMISS

Came on to be heard defendant Mark Andrew Schultz’ Motion to Dismiss Plaintiffs’ Claim or in the Alternative, Motion to Stay, and the Court, having reviewed the Motion, is of the opinion that said Motion should be, in all things, **GRANTED**. It is therefore

ORDERED that defendant Mark Andrew Schultz' Motion to Dismiss Plaintiff's Claim or in the Alternative, Motion to Stay or Abate is hereby **GRANTED**. It is further **ORDERED** that:

- a. _____ the complaint is dismissed without prejudice for plaintiffs' failure to state a viable claim against defendant; or
- b. _____ AIG's request for declaratory judgment is stayed until it is determined whether the amount of damages, if any, Schultz may become legally liable to pay exceeds the limits of his underlying policy of insurance or further developments necessarily require resolution of AIG's duties under the AIG Policy;

SIGNED this _____ day of _____, 202__.

HONORABLE SIM LAKE,
UNITED STATES DISTRICT JUDGE